

REMARKS

This Amendment is filed with a 1-month extension of time in response to the Office Action mailed Dec. 29th, 2005. All objections and rejections are respectfully traversed.

Claims 1-28 and 33-51 are now pending in the case.

Claims 28-32 have been cancelled without prejudice.

Claims 1, 4-6, 9-11, 13, 17, 19, 20, 24 and 26 have been amended to better claim the invention.

New claims 33-51 have been added.

In order to advance the prosecution of this case, the Applicant requests an interview before the Examiner issues another Office Action. The Applicant believes that discussion of the recent claim amendments and new claims can best highlight the difference over the prior art.

At paragraphs 1-2 of the Office Action, claims 1-5 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the invention, specifically by lacking sufficient antecedent basis. The Applicant has amended claim 1 to address this issue.

At paragraph 3 of the Office Action, claims 1, 5, 6, 10, 11, 13, 15, 16, 19, 20, 23-24, and 26-32 were rejected under 35 U.S.C. 102(e) as being anticipated by Dugan et al., U. S. Patent No. 6,078,586, issued June 20th, 2000 (hereinafter Dugan).

The present invention, as set forth in representative claim 20, comprises in part:

20. A system, comprising:
 a first network using a best-route routing protocol;
 at least two links not supporting said protocol connected to said first network;
 a second network using a best-route routing protocol, said second network interconnected with said first network only by said at least two links;
 an entry border node in said first network to send a set-up message having a best route from said first network to said second network; and
 a first switching node in said first network connected to one of said at least two links, a second switching node in said second network connected to said first switching node by said one of said at least two links, said first switching node to receive a clearing message from said second network indicating a rejection of said best route, said first switching node to generate a crankback information element in response to said clearing message, and add said crankback information element to said clearing message, and forward said clearing message and crankback information element to said entry border node.

Dugan discloses connecting an enhanced ATM network including a number of ATM switches (See Fig. 7, X.1.1, X.1.2 ... X.2.2) with "Intelligent Network Control Processor" (ICP's) (See Fig 7, Z.1 and Z.2) to allow Virtual Private Networks (VPNs) to be implemented on the ATM network. See col. 3, lines 1-11. If, for some reason, a terminating ATM switch (See Fig. 7, X.2.2) cannot route a SETUP+ message to a destination (See Fig. 7, B.3), the terminating switch (See Fig. 7, X.2.2) sends the message as a crankback message to an ICP (See Fig. 7, Z.2). Dugan clearly states "[s]pecifically,

switch X.2.2 cranks back the SETUP message to the Z level in the hierarchy in step 5.”

See col. 9, lines 52-56. Subsequently, the message travels between the ICPS, and the last ICP (Fig. 7, Z.1) sends the crankback message to the first ATM switch (Fig 7, switch X.1.1). See col. 7. lines 1-4.

The Examiner has contended that Dugan can be interpreted as divided into two networks “a first network comprising switches (Figure 7, elements X.1.1, X.1.2, X.1.3) and ICP node Z.1 with X.1.1 connected to customer B.1.1 and a second network including switches (Figure 7, elements X.2.1, X.2.2, X.2.3, X.2.4) and ICP node Z.2 and switch X.2.2 being terminating switch connected to destination customer B.3.” See Office Action paragraph 5. Assuming, arguendo, Dugan be interpreted in such manner, Dugan still does not show the Applicant’s claimed invention.

The Applicant respectfully urges that Dugan is silent concerning the Applicant’s claimed invention relating to “***at least two links not supporting said protocol...a second network using a best-route routing protocol, said second network interconnected with said first network only by said at least two links***” and “***a first switching node in said first network connected to one of said at least two links, a second switching node in said second network connected to said first switching node by said one of said at least two links, said first switching node to receive a clearing message from said second network indicating a rejection of said best route, said first switching node to generate a crankback information element in response to said clearing message.***”

First, the Applicant's claimed invention teaches "***at least two links not supporting said protocol***" and "***a second network using a best-route routing protocol, said second network interconnected with said first network by said at least two links.***" The two networks the Examiner has delineated in Dugan are interconnect only by links that do support best-route protocol. Namely X.1.1 is connected to X.2.4 by a PNNI+ link, and X.1.3 is connected to X.2.1 by another PNNI+ link. Dotted paths 176a and 176b in Fig. 7 are not links at all, but rather graphical representations of virtual Interior Routing and Signaling Control Channels (IRSCCs) that operate over the PNNI+ links. *See* col. 8, lines 4-10 and col. 9, lines 19-24 (defining IRSCC as "virtual signaling channel"). The Applicant's invention is directed to solving problems that occur in implementing crank-back across networks connected with links that do not support such advanced features. Dugan avoids the problem by implementing PNNI+ links everywhere. The Applicant discusses the shortcomings of such an approach in the Background section of the Application, at page 2, lines 20-25, stating:

Another approach is to get rid of IISP interface everywhere and to use PNNI protocol with the hierarchy everywhere. This is technically valid but it is almost impossible in real-life environment for many reasons. First, not all products implement the PNNI protocol, while all of them implement IISP. Second, a product may be able to implement the cases, but the PNNI protocol is a feature the customer has to pay for. The customer may not want to pay for it, may not want to change his network at all, and therefore may want to keep the IISP interfaces.

Second, the Applicant's claimed invention teaches "***a first switching node in said first network connected to one of said at least two links... said first switching node to receive a clearing message from said second network indicating a rejection of said best***

route, said first switching node to generate a crankback information element in response to said clearing message.” In sharp contrast, Dugan discloses crankback initially implemented at a node (Fig 7, X.2.2) in what the Examiner has delineated as Dugan’s second network. *See* Dugan col. 9, lines 52-56. Dugan then discloses propagating the crankback through Intelligent Network Control Processors (ICPs) (Fig 7, Z.2 and Z.1), and finally sending the crankback to a switching node in the first network (Fig 7, X.1.1). This is entirely different from Applicant’s claimed invention.

Stated simply, rather than generate crankback in a first switching node in said first network, Dugan receives the crankback at the first switching node from an ICP.

Accordingly, the Applicant respectfully urges that Dugan is legally insufficient to anticipate the presently claimed invention under 35 U.S.C. § 102(e) because of the absence of the Applicants’ claimed novel *“at least two links not supporting said protocol...a second network using a best-route routing protocol, said second network interconnected with said first network only by said at least two links”* and *“a first switching node in said first network connected to one of said at least two links, a second switching node in said second network connected to said first switching node by said one of said at least two links, said first switching node to receive a clearing message from said second network indicating a rejection of said best route, said first switching node to generate a crankback information element in response to said clearing message.”*

At paragraphs 2-3 [sic] of the Office Action, claims 2-3, 7-8, 12, 18, and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dugan in view of Soncodi U.S. Patent No. 6,111,881.

At paragraph 4 [sic] of the Office Action claims 4, 9, 14, and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dugan in view of Rochberger et al. U.S. Patent No. 6,208,623.

The Applicant respectfully notes that claims 2-3, 7-8, 12, 18, and 25 and claims 4, 9, 14, and 21 are dependent from independent claims which are believed to be in condition for allowance. Accordingly, these dependent claims are believed to be in condition for allowance.

In the event that the Examiner deems personal contact desirable in disposition of this case, the Examiner is encouraged to call the undersigned attorney at (617) 951-3078.

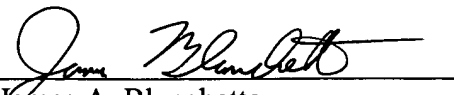
All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims.

The Applicant respectfully solicits favorable action.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,


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